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PCT/PTO 09 FEB 2006

PCT

Attorney Docket No. P28678**Mail Stop AmendmentIn**

reapplication of : Kenzi NISIKAWA

Application No : 10/553,909 (National Stage of PCT/JP2004/005758)

Group Art Unit: Not Yet Assigned

Filed : April 22, 2004

Examiner : Not Yet Assigned

For : **OPTICAL CHARACTERISTIC MEASURING INSTRUMENT
AND METHOD, PROGRAM, AND RECORD MEDIUM ON
WHICH THE PROGRAM IS RECORDED****Mail Stop Amendment**

Commissioner for Patents

U.S. Patent and Trademark Office

Customer Service Window, Mail Stop AmendmentRandolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Transmitted herewith is a **Preliminary Amendment** in the above-captioned application.

Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.

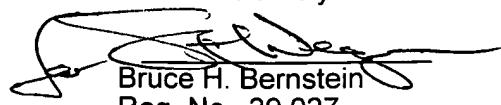
A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

An Information Disclosure Statement, PTO Form 1449, and references cited.

No additional fee is required.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 11	*20	0	X25=	\$	x 50=	\$0.00
Indep. Claims: 4	**4	0	X100=	\$	X200=	\$0.00
Multiple Dependent Claims Presented			+180=	\$	+360=	\$0.00
Extension Fees for _____ Month(s)				\$		\$0.00
			Total:	\$	Total:	\$0.00

 Please charge my Deposit Account No. 19-0089 in the amount of \$_____. N/A A Check in the amount of \$_____ to cover the filing/extension fee(s) is included. The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089. Any additional filing fees required under 37 C.F.R. 1.16. Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136)(a)(3).


Bruce H. Bernstein
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Steven Wegman
Reg. No. 31,438

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kenzi NISIKAWA

Group Art Unit: Not Yet Assigned

Serial No : 10/553,909 (National Stage of PCT/JP2004/005758)

Examiner: Not Yet Assigned

I.A. Filed : April 22, 2004

For : OPTICAL CHARACTERISTIC MEASURING INSTRUMENT
AND METHOD, PROGRAM, AND RECORD MEDIUM ON
WHICH THE PROGRAM IS RECORDED

PRELIMINARY AMENDMENT

Commissioner of Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Prior to the examination of the above-identified patent application on
the merits, the Examiner is respectfully requested to amend the claims as
follows:

Amendments to the Claims are reflected in the listing of claims which begins
on page 2 of this paper.